



Docket No. 55293-A/JPW/AJM/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Carlos Cordon-Cardo et al.

Serial No.: 09/329,917

Examiner: J. Souaya

AUG 06 2004

Filed : June 10, 1999

Group Art Unit: 1634 TECH CENTER 1600/2900

For : MARKERS FOR PROSTATE CANCER

Date of Notice

of Allowance: April 28, 2004

Confirmation No.: 8767

Issue Fee Due: July 28, 2004

1185 Avenue of the Americas  
New York, New York 10036  
July 28, 2004

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**SUPPLEMENTAL INFORMATION**

**DISCLOSURE STATEMENT FILED WITH A CORRESPONDING  
REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114**

Applicants hereby submit this request for continued examination ("RCE") including a Supplemental Information Disclosure Statement ("IDS") in connection with the above-identified patent application. Pursuant to 37 C.F.R. §1.114(a), prior to the payment of the issue fee, an applicant may file an RCE of an application including the fee set forth in 37 C.F.R. §1.17(e) so as to file a submission such as an IDS.

A Notice of Allowance and Issue Fee Due was issued by the United States Patent and Trademark Office on April 28, 2004 in connection with the subject application. Accordingly, the issue fee is due July 28, 2004. In lieu of paying the issue fee, applicants are filing an RCE in order to submit this Supplemental IDS and request that the Examiner consider the enclosed

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Supplemental IDS. Accordingly, this RCE and IDS are being timely filed.

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following reference which is listed on the attached Form PTO-1449 (**Exhibit A**). A copy of the below listed references are attached hereto as **Exhibits 1-5**.

1. PCT International Application No. PCT/US98/25483, filed December 1, 1998, International Publication No. WO99/28749, published June 10, 1999 (**Exhibit 1**);
2. PCT International Application No. PCT/US00/16007, filed January 2, 2001, International Publication No. WO00/77258, published December 21, 2000 (**Exhibit 2**);
3. U.S. Serial No. 10/009,861, filed December 10, 2001, on behalf of Sloan-Kettering Institute for Cancer Research, national stage of PCT International Application No. PCT/US00/16007, filed January 2, 2001, International Publication No. WO00/77258, published December 21, 2000, including a copy of the pending claims (**Exhibit 3**);
4. U.S. Serial No. 10/288,609, filed November 5, 2002, on behalf of Carlos Cordon-Cardo et al., U.S. Publication No. US-2004-0053247-A1, published March 18, 2004 (**Exhibit 4**); and
5. Database Biosis [Online] Biosciences Information Service,

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Philadelphia, PA, US (1999-03) Lee Tae Yoon et al.,  
"Immunohistochemical Expression of p53 and MDM-2 Protein  
in Various Epithelial Carcinomas" Database Accession No.  
PREV1999900406745 (**Exhibit 5**).

The subject application is a continuation-in-part and claims the benefit under 35 U.S.C. §120 of PCT International Application No. PCT/US98/25483, filed December 1, 1998, a copy of which is attached hereto as Exhibit 1.

PCT International Application No. PCT/US00/16007, filed January 2, 2001, is a continuation-in-part and claims priority of the subject application. A copy of which is attached hereto as Exhibit 2.

U.S. Serial No. 10/009,861, filed December 10, 2001, is a national stage application of PCT International Application No. PCT/US00/16007, filed January 2, 2001, which claims priority of and benefit under 35 U.S.C. §120 of the subject application. A copy of which is attached hereto as Exhibit 3.

U.S. Serial No. 10/288,609, filed November 5, 2002, is a continuation of the subject application. A copy of which is attached hereto as Exhibit 4.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone either of them at the number provided below.

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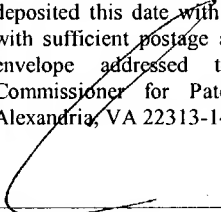
No fee, other than the enclosed \$385.00 RCE filing fee, is deemed necessary in connection with the filing of this RCE including a Supplemental IDS. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Alan J. Morrison  
Reg. No. 37,399

7/28/09  
Date



AUG 06 2004

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Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 1747/55293-A/ JPW/AJM/MVM		Serial No. 09/329,917		
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				Applicants Carlos Cordon-Cardo et al.				
				Filing Date June 10, 1999		Group 1634		
U.S. PATENT DOCUMENTS								
Examiner Initial		Document Number		Date	Name	Class	Subclass	Filing Date if Appropriate
FOREIGN PATENT DOCUMENTS								
		Document Number		Date	Country	Class	Subclass	Translation
								Yes No
		WO 9 9 2 8 7 4 9	06/10/99	PCT (Exhibit 1)				
		WO 0 0 7 7 2 5 8	12/21/00	PCT (Exhibit 2)				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
		U.S. Serial No. 10/009,861, filed December 10, 2001, on behalf of Sloan-Kettering Institute for Cancer Research, national stage of PCT International Application No. PCT/US00/16007, filed January 2, 2001, International Publication No. WO00/77258, published December 21, 2000, including a copy of the pending claims (Exhibit 3);						
		U.S. Serial No. 10/288,609, filed November 5, 2002, on behalf of Carlos Cordon-Cardo et al., U.S. Publication No. US-2004-0053247-A1, published March 18, 2004 (Exhibit 4); and						
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EXAMINER				DATE CONSIDERED				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this from with next communication to applicant.								

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